

Message Text

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ORIGIN COA-01

INFO OCT-01 ARA-06 ISO-00 OES-03 EB-07 COME-00 INT-05 L-02

AGR-05 INRE-00 SSO-00 NSCE-00 USIE-00 CIAE-00 DODE-00

PM-03 H-01 INR-07 NSAE-00 NSC-05 PA-01 RSC-01 PRS-01

SP-02 SS-15 DLOS-03 NSF-01 FMC-01 CG-00 DOTE-00 OMB-01

AID-05 IO-10 /087 R

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COMM/NOAA-MR. BEASLEY

L/OES:SBURTON

ARA/BR:AFWATSON

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O P 151924Z JAN 75

FM SECSTATE WASHDC

TO AMEMBASSY BRASILIA IMMEDIATE

INFO AMEMBASSY MEXICO PRIORITY

AMCONSUL RIO DE JANEIRO PRIORITY

AMCONSUL SAO PAULO PRIORITY

C O N F I D E N T I A L STATE 009716

BRASILIA ALSO POUCH BELEM FOR ACTION

E.O. 11652:GDS

TAGS: EFIS, BR

SUBJECT:RENEGOTIATION OF BILATERAL SHRIMP FISHING AGREEMENT

REF: BRASILIA 00293

1. USG IS PREPARED TO RENEGOTIATE SHRIMP AGREEMENT IN
BRASILIA FEBURARY 3-6. NEGOTIATING TEAM PLANS TO ARRIVE
FEBRUARY 1 IN ORDER TO HAVE DELEGATION MEETING FEBRUARY 2.
COMPOSITION OF DELEGATION HAS NOT YET BEEN FINALIZED AND
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WILL BE TRANSMITTED ASAP. DEPT WOULD APPRECIATE EMBASSY

MAKING RESERVATIONS FOR FEB. 1 THROUGH 6, FOR SEVEN PERSONS AT REASONABLY PRICED HOTEL CONVENIENT TO NEGOTIATING SITE, AND ALSO MAKING ARRANGEMENTS FOR DELEGATION MEETING FEB. 2 AT EMBASSY. REPRESENTATIVES FROM U.S. SHRIMP INDUSTRY WILL BE COMING TO BRASILIA TO BE AVAILABLE FOR CONSULTATIONS AS NEGOTIATIONS PROGRESS. DEPT WOULD APPRECIATE EMBASSY HELP WITH THEIR HOTEL RESERVATIONS: NAMES WILL BE TRANSMITTED SOONEST.

2. DEPT HAS CONTACTED US SCIENTISTS CONCERNING A SCIENTIFIC MEETING PRIOR TO NEGOTIATION SESSION AND HAS CONCLUDED THAT, DESPITE GOB RESERVATIONS, SUCH A MEETING WOULD BE EXTREMELY USEFUL. EMBASSY IS REQUESTED TO APPROACH

APPROPRIATE GOB OFFICIALS AND URGE ONCE AGAIN THAT SUCH A MEETING TAKE PLACE, DRAWING UPON FOLLOWING POINTS: (A) A SCIENTIFIC REVIEW WOULD SATISFY ARTICLE III OF THE AGREEMENT, WHICH STATES THAT QUOTE DULY APPOINTED ORGANIZATIONS FROM BOTH PARTIES SHALL MEET IN DUE TIME TO EXCHANGE SCIENTIFIC DATA, PUBLICATIONS AND KNOWLEDGE ACQUIRED ON THE SHRIMP FISHERIES IN THE AREA OF AGREEMENT." END QUOTE (B) SUCH A SCIENTIFIC REVIEW IS NECESSARY PRIOR TO NEGOTIATIONS SINCE STATUS OF RESOURCE MUST BE UNDERSTOOD BEFORE ARRANGEMENTS FOR FISHING IT CAN BE DISCUSSED (C) THESE SCIENTIFIC TALKS COULD ONLY FACILITATE NEGOTIATING EFFORT LATER AND IT WOULD BE UNUSUAL IF NOT UNPRECEDENTED FOR FISHERY NEGOTIATIONS TO TAKE PLACE WITHOUT SCIENTIFIC REVIEW. (D) SUCH A SCIENTIFIC EXCHANGE WOULD BE NECESSARY REGARDLESS OF CONCEPTUAL FRAME OF NEW AGREEMENT AND WE DO NOT IN ANY CASE SEE HOW OTHER ASPECTS OF SHRIMPING ARRANGEMENTS COULD AFFECT SCIENTIFIC REVIEW. WE SUGGEST WEEK OF JANUARY 27 FOR THESE TALKS, WHICH U.S. SCIENTISTS WOULD PREFER TO HAVE IN RIO DE JANEIRO, WHERE SUDEPE OFFICES ARE LOCATED.

3. DEPT. WOULD APPRECIATE CLARIFICATION FROM GOB CONCERNING PROPOSED RENEGOTIATION. WE ASSUME GOB IS CONTEMPLATING BILATERAL NEGOTIATIONS, ALTHOUGH IT APPEARS FROM AIDEMEMOIRE DEPT. HAS RECEIVED FROM BRAZILIAN EMBASSY THAT GOB MAY BE CONSIDERING TALKS WITH ALL FOUR COUNTRIES WITH WHICH

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IT HAS AGREEMENTS DURING SAME TIME PERIOD. WE BELIEVE THAT THIS WOULD BE A MECHANICAL AND PRACTICAL IMPOSSIBILITY AND WOULD URGE EMBASSY TO DISCOURAGE GOB THINKING ALONG THESE LINES.

4. DEPT. RECEIVES IMPRESSION FROM REFTTEL THAT GOB IS CONTEMPLATING A NEW SHRIMP AGREEMENT WITH VERY DIFFERENT RATIONALE FROM PRESENT AGREEMENT, WHICH IS BASED ON CON-

SERVATION PRINCIPLES. EMBASSY SHOULD MAKE CLEAR TO GOB THAT WE ARE NOT PREPARED TO DISCUSS AGREEMENT WHICH WOULD COMPROMISE JURIDICAL POSITIONS OF EITHER SIDE; USG COULD NOT AGREE TO QUOTE PHASE-OUT END QUOTE U.S. FISHERY AT THIS TIME AS THIS WOULD IMPLY RECOGNITION OF GOB 200-MILE CLAIM AND OWNERSHIP OF RESOURCE. SOME ADJUSTMENTS IN ALLOWABLE U.S. VESSELS AND OTHER CHANGES IN PRESENT ARRANGEMENTS COULD, OF COURSE, BE CONSIDERED, BUT EMBASSY SHOULD URGE GOB NOT TO ATTEMPT TO RADICALLY CHANGE CONCEPTUAL FRAMEWORK REFLECTED IN PRESENT AGREEMENT.

5. DEPARTMENT HAS ADVISED BRAZILIAN EMBASSY OF ACCEPTABILITY OF DATES FOR NEGOTIATIONS AND DEPARTMENT AND NATIONAL MARINE FISHERIES SERVICES OFFICERS WILL CONVEY OTHER POINTS CONTAINED IN THIS CABLE TO MINISTER COUNSELOR DINIZ IN MEETING SCHEDULED FOR FRIDAY MORNING. KISSINGER

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